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APR 13 2004

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April 13, 2004

VIA FACSIMILE

To: Examiner Carolyn Smith  
Group Art Unit No. 1631  
U.S.P.T.O.

Facsimile No.: (703) 872-9306

From: Phillip E. Miller

Facsimile No.: (703) 761-2375

Re: Enclosed Amendment, Submission of Replacement Drawing Sheets and Excess Claim  
Fee Payment Letter  
U.S. Patent Application Serial No. 09/870,009  
Our Ref: YOR.418

Dear Examiner Smith:

Please find enclosed an Amendment and Submission of Replacement Drawing Sheets which are responsive to the Office Action dated January 13, 2004, which should place the above-referenced case in condition for allowance. An Excess Claim Fee Payment Letter is also enclosed for two excess claims.

Thank you in advance for your consideration on this case.

Very truly yours,



Phillip E. Miller

PEM/tm  
Enclosure

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kashima et al.

Serial No.: 09/870,009 Group Art Unit: 1631

Filed: May 30, 2001 Examiner: Carolyn L. Smith

For: NUCLEOTIDE SEQUENCE FOR IDENTIFYING A SOURCE OF GENETIC  
INFORMATION, AND DNA AND CELL INCLUDING THE SAMEHonorable Commissioner of Patents  
Alexandria, VA 22313-1450**EXCESS CLAIM FEE PAYMENT LETTER**

Sir:

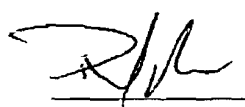
Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.

	<u>After Amendment</u>	<u>Prev. Paid for</u>	<u>Extra Claims Present</u>	<u>Rate</u>	<u>Fee Due</u>
Total claims	22	20	20	18.00	\$36.00
Indep. claims	5	5	0	84.00	\$0.00
<b>Total Additional Fee for this Amendment</b>					<b>\$36.00</b>

The Commissioner is hereby authorized to charge the amount of \$36.00 to Assignee's Deposit Account No. 50-0510 to cover the cost of the Excess Claim Fee.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: 4/13/04  
Phillip E. Miller  
Reg. No. 46,060

**McGinn & Gibb, PLLC**  
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In re Application of

Kashima et al.

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Filed: May 30, 2001

Examiner: Carolyn L. Smith

For: NUCLEOTIDE SEQUENCE FOR IDENTIFYING A SOURCE OF GENETIC  
INFORMATION, AND DNA AND CELL INCLUDING THE SAME

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action dated January 13, 2004, please amend the above-  
identified application as follows: